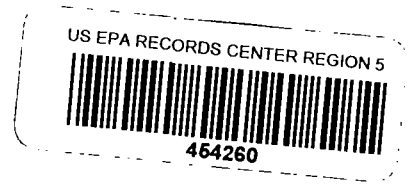


Yenkin-Majestic

PAINT CORPORATION

1920 LEONARD AVENUE, COLUMBUS, OHIO 43219 • PHONE (614) 253-8511

June 27, 2001



~~June 27 2001~~

Ms. Deena Sheppard-Johnson, SR-6J
USEPA Region 5
Remedial Enforcement Support Section
77 West Jackson Blvd.
Chicago, IL 60604

DHL Overnight #8380537314

RE: Chemical Recovery Systems Site, Elyria, OH
Yenkin-Majestic Industries and Ohio Polychemical

Dear Ms. Sheppard-Johnson:

Attached is the original of my Fax letter sent yesterday to your Mr. Thomas C. Nash, Associate Regional Counsel. Kindly direct my original communication to his file on the above-referenced site.

Also attached is a copy marked to you, so that it may also be included in the file you have for this site. Please note our comment, which was to identify an Error in CRS Records.

Thanks.

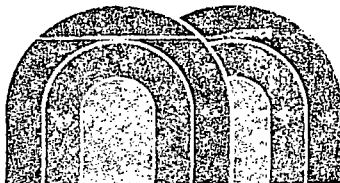
Sincerely yours,

Merom Brachman

For Yenkin-Majestic Paint Corporation/Ohio Polychemical Company

USEPA - Chicago
Ms. Sheppard-Johnson, SR-62

COPY



Yenkin-Majestic
PAINT CORPORATION

FAXED
6-26-01
3:10 PM

Thomas C. Nash, Associate Counsel
USEPA Region 5
Remedial Enforcement Support Section
77 West Jackson Blvd.
Chicago, IL 60604

FAX: (312) 886-7160
RE: Chemical Recovery Systems Site, Elyria, OH
Yenkin-Majestic Industries and Ohio Polychemical

Dear Mr. Nash,

Thank you for the courtesy in our telephone conversation when I called you yesterday afternoon, (June 25, 2001). I appreciated the information you provided, and also your agreement that our company have time until July 15, 2001 to complete the questions in the Information Request included in the original March notice regarding the above referenced site. If I did not understand this extension correctly, please advise me promptly. Also, below I have included comment from our initial review of data your office forwarded under date of 5/18/01. Thank you.

Sincerely yours,

Merom Brachman
For Yenkin-Majestic Paint Corporation/Ohio Polychemical Company

Error in CRS Records Sent from EPA

In our initial review of the excerpts from records EPA forwarded (apparently from the Chemical Recovery Systems (CRS) business) under your May 18, 2001 cover letter, we have discovered at least one typographical error that grossly overstates the volume of material attributed to Yenkin Majestic. On the "Dirty Inventory" ledger marked "retyped 12/13/79," the struck-through entry for Yenkin Majestic opposite a date of 10/13/78 indicates 6,000 "Drs." (apparently meaning "drums") of xylene. This obviously is in error:

1) It is inconceivable that Yenkin Majestic ever made a shipment of 6,000 *drums* (which would equate to 330,000 gallons). All other entries shown for Yenkin Majestic are in gallons rather than drums, and the largest volume shown in any other "Dirty Inventory" entry for Yenkin majestic is 6,000 *gallons*. 2) Further reference to CRS's purported invoice records makes clear that the 10/13/78 entry should have reflected 6,000 gallons rather than drums. The invoice for this transaction, also dated 10/13/78, was in the amount of \$1,985. (By comparison, the 1/30/80 invoice for Yenkin Majestic, which purportedly related to a shipment of 6,000 *gallons* on 1/22/80, was in the amount of \$2,490. Consequently, the 10/13/78 entry on the "Dirty Inventory" would correspond to 6,000 gallons rather than 6,000 drums.) Obviously, an invoice for the listed 10/13/78 shipment, if in drums, should have been many times more than that shown for the 1/22/80 shipment of 6,000 gallons.

Yenkin Majestic is unable to confirm the accuracy of any of the entries on the "Dirty Inventory" ledgers or other CRS records you provided, and the error shown above suggest these documents may contain additional inaccuracies not yet found. At the very least, however, U.S. EPA needs to correct this obvious typographical error in the 10/13/78 entry prior to identifying any volumetric ranking affecting Yenkin Majestic based on these documents.



FAXED
6-26-01
3:12 PM

Thomas C. Nash, Associate Counsel
USEPA Region 5
Remedial Enforcement Support Section
77 West Jackson Blvd.
Chicago, IL 60604

FAX: (312) 886-7160
RE: Chemical Recovery Systems Site, Elyria, OH
Yenkin-Majestic Industries and Ohio Polychemical

Dear Mr. Nash,

Thank you for the courtesy in our telephone conversation when I called you yesterday afternoon, (June 25, 2001). I appreciated the information you provided, and also your agreement that our company have time until July 15, 2001 to complete the questions in the Information Request included in the original March notice regarding the above referenced site. If I did not understand this extension correctly, please advise me promptly. Also, below I have included comment from our initial review of data your office forwarded under date of 5/18/01. Thank you.

Sincerely yours,

A handwritten signature in cursive script that reads "Merom Brachman".

Merom Brachman
For Yenkin-Majestic Paint Corporation/Ohio Polychemical Company

Error in CRS Records Sent from EPA

In our initial review of the excerpts from records EPA forwarded (apparently from the Chemical Recovery Systems (CRS) business) under your May 18, 2001 cover letter, we have discovered at least one typographical error that grossly overstates the volume of material attributed to Yenkin Majestic. On the "Dirty Inventory" ledger marked "retyped 12/13/79," the struck-through entry for Yenkin Majestic opposite a date of 10/13/78 indicates 6,000 "Drs." (apparently meaning "drums") of xylene. This obviously is in error:

1) It is inconceivable that Yenkin Majestic ever made a shipment of 6,000 *drums* (which would equate to 330,000 gallons). All other entries shown for Yenkin Majestic are in gallons rather than drums, and the largest volume shown in any other "Dirty Inventory" entry for Yenkin majestic is 6,000 *gallons*. 2) Further reference to CRS's purported invoice records makes clear that the 10/13/78 entry should have reflected 6,000 gallons rather than drums. The invoice for this transaction, also dated 10/13/78, was in the amount of \$1,985. (By comparison, the 1/30/80 invoice for Yenkin Majestic, which purportedly related to a shipment of 6,000 *gallons* on 1/22/80, was in the amount of \$2,490. Consequently, the 10/13/78 entry on the "Dirty Inventory" would correspond to 6,000 gallons rather than 6,000 drums.) Obviously, an invoice for the listed 10/13/78 shipment, if in drums, should have been many times more than that shown for the 1/22/80 shipment of 6,000 gallons.

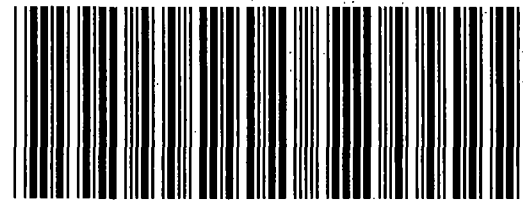
Yenkin Majestic is unable to confirm the accuracy of any of the entries on the "Dirty Inventory" ledgers or other CRS records you provided, and the error shown above suggest these documents may contain additional inaccuracies not yet found. At the very least, however, U.S. EPA needs to correct this obvious typographical error in the 10/13/78 entry prior to identifying any volumetric ranking affecting Yenkin Majestic based on these documents.



CMG
CMG

8380537314

Quote this shipment number in an inquiry



838 0537 314

1/17/01	ORIGIN	DESTINATION
CMG		CGX

1 From (Shipper)

Account no.
832625902

Shipper's reference

Company name
VENKIN MAJESTIC PAINT CO

Shipper's name
MEROM BRACHMAN

Address

1920 LEONARD AVE
COLUMBUS OH

Zip code (required)
3219

Phone/Fax/E-mail
(614)253-8511

2 To (Recipient)

Company name
USEPA REGION 5

Attention
MS. DEENA SHEPRARD-JOHNSON-SR-6T

Delivery address
REMEDIAL ENFORCEMENT SUPPORT SECTION
77 WEST JACKSON BLVD.
CHICAGO, IL 60604

Zip/Postcode (required)
60604

Phone/Fax/E-mail
312-886-7160

Shipper's authorization and signature

I/we agree that DHL's standard terms apply to this shipment and limit DHL's liability for loss or damage to U.S. \$ 100. The Warsaw Convention may also apply (see reverse). I/we authorize DHL to complete other documents necessary to export this shipment. I/we understand that insurance is available on request for an extra charge. I/we agree to pay all charges if the recipient or third party does not pay. I/we understand that DHL DOES NOT TRANSPORT CASH.

Signature (required)
6.27.01

Date

3 Shipment details

Domestic Services
☒ USA OVERNIGHT
International Services
☐ INT'L DOCUMENT EXPRESS
☐ WORLDWIDE PRIORITY EXPRESS
☐ WORLDFREIGHT
Prior arrangements required / 2.0 kg Minimum
WorldMail Services
☐ APM ☐ 2nd ☐ IPA ☐ ISAL
Special Services extra charges may apply
☐ SATURDAY DELIVERY (not available in all locations)
☐ POD Shipper's fax e-mail for POD (optional)
☐ OTHER

Payment Options not all options available to all countries.
☒ Shipper's account
☐ Recipient ☐ Third party
 Acct. No.

Full description of contents
 (2) LETTER/DOCUMENTS
 SIGNATURE REQUIRED

International non document shipments only
 Attach original and four copies of a Commercial Invoice
 Declared value for customs (In US \$) Export License No./Symbol (if applicable)

Harmonized Sched. B No. (if applicable) Type of export If left blank, Permanent is assumed
☐ Permanent
☐ Temporary ☐ Repair/Return

Shipper's EIN/SSN

These commodities, technology or software were exported from the United States in accordance with the export administration regulations. Diversion contrary to U.S. law prohibited.

Destination duties/taxes If left blank recipient pays duties/taxes
☐ Recipient ☐ Shipper ☐ Other
Specify destination approved account number

4 Pcs/Weight/Size

No. of pieces
1

Weight if DHL Express Document packaging is used, enter XD
XD

Dimensions in inches

@	x	x
@	x	x
@	x	x

Pieces length width height

DIMENSIONAL/CHARGED WEIGHT

CODES

CHARGES
Services

Special services

Insurance

Drop Box/Exp. Center

TOTAL

TRANSPORT COLLECT STICKER No.

PICKED UP BY
T.F.

Time
Date

DHL AIRWAYS, INC. © 333 TWIN DOLPHIN DRIVE, REDWOOD CITY, CA 94065
 Recipient's Copy